


**CERTIFICATE OF MAILING**

hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

August 19, 2003

Date of Deposit

  
Rena Iov

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: CATANIA, Anna P. *et al.*

APPLICATION No.: 09/533,341

FILED: March 23, 2000

FOR: **ANTIMICROBIAL AND ANTI-  
INFLAMMATORY PEPTIDES FOR USE IN  
HUMAN IMMUNODEFICIENCY VIRUS**

EXAMINER: DR. JEFFREY PARKIN

ART UNIT: 1648

**RECEIVED**

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TECH CENTER 1600/2900

**Transmittal of Amendment and Response Under 37 C.F.R. § 1.111**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. **Transmitted herewith are the following:**

- ☒ Amendment and Response Under 37 C.F.R. § 1.111
- ☒ Petition for Two-Month Extension of Time
- ☐ Terminal Disclaimer
- ☒ Sequence Listing printout, floppy diskette, Statement of Sequence Listing
- ☒ Interview Summary with Examiner
- ☒ Affidavit of James M. Lipton, Ph.D.

2. **Entity Status**

- ☒ Small Entity Status (37 C.F.R. § 1.9 and § 1.27) has been established by a previously submitted Small Entity Statement.

**3. Conditional Petition for Extension of Time:**

Applicant petitions for an Extension of Time, if necessary, for timely of this transmittal and enclosures.

**4. Fee Calculation and Payment**

| For:   | (Col. 1)<br>No.<br>Filed | (Col. 2)<br>No.<br>Extra | Small Entity |          |    | Other Than a<br>Small Entity |     |
|--|--------------------------|--------------------------|--------------|----------|----|------------------------------|-----|
|  |                          |                          | Rate         | Fee      |    | Rate                         | Fee |
| Total Claims   | 19                       | 0                        | x \$ 9 =     | \$       | or | x \$ 18 =                    | \$  |
| Independent Claims   | 4                        | 0                        | x \$42 =     | \$       | or | x \$ 84 =                    | \$  |
| <input type="checkbox"/> Multiple Dependent Claim Presented          |                          |                          | + \$140 =    | \$       | or | + \$280 =                    | \$  |
| <input checked="" type="checkbox"/> Extension of Time Fee            |                          |                          |              | \$205.00 |    |                              | \$  |
| *If the difference in Col. 1 is less than zero, enter "0" in Col. 2. |                          |                          | TOTAL        | \$205.00 | or | TOTAL                        | \$  |

**5. Provisional Fee Authorization**

Please charge any underpayment in fees for timely filing of this transmittal and enclosures to Deposit Account No. 50-2586.

Respectfully submitted,  
Perkins Coie LLP

Dated: August 19, 2003

By: 

James J. Zhu  
Registration No. 52,396

**Correspondence Address:**

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**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: Anna P. CATANIA *et al.*

APPLICATION No.: 09/533,341

FILED: MARCH 23, 2000

FOR: **ANTIMICROBIAL AND ANTI-INFLAMMATORY  
PEPTIDES FOR USE IN HUMAN  
IMMUNODEFICIENCY VIRUS**

EXAMINER: Jeffrey S. Parkin

ART UNIT: 1648

**INTERVIEW SUMMARY WITH EXAMINER JEFFREY S. PARKIN, PH.D.**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

A telephonic interview was conducted on July 16, 2003, between Examiner Jeffrey S. Parkin, Ph. D. and Applicants' counsel including Michael Wise, Partner; James Zhu, Associate; and David Devlin, Associate, to discuss issues raised in the Office Action of March 19, 2003 regarding the above identified application.

The following issues were discussed during the interview:

- "A KPV" v. "A KPV tripeptide"
- "Treating" v. "Inhibiting"
- The pathogen genus.

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8/19/03  
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1. "A KPV" v. "A KPV tripeptide"

It was advised that the term "a KPV tripeptide" be used in the claims.

2. "Treating" v. "inhibiting"

It was advised that the claims be directed to a method of "inhibiting" infection rather than "treating" infection.

3. The pathogen genus

It was advised that the pathogen genus, other than the species of *Staphylococcus* and the species of *Candida*, could be included in the claims were there support in the specification for the mechanism of KPV in inhibiting infection. It was advised that a §1.132 affidavit of the inventor regarding the mechanism of KPV in inhibiting infection be submitted. It was further advised that the support in the specification and the §1.132 affidavit may overcome the written requirement rejection.

Respectfully submitted,  
Perkins Coie LLP

Date: 8/19/03

  
\_\_\_\_\_  
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Registration No. 52,396

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